

1 AN ACT concerning local government.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.595 as follows:

6 (30 ILCS 105/5.595 new)

7 Sec. 5.595. The Special Recreation Services Fund.

8 Section 10. The Riverboat Gambling Act is amended by  
9 changing Section 13 as follows:

10 (230 ILCS 10/13) (from Ch. 120, par. 2413)

11 Sec. 13. Wagering tax; rate; distribution.

12 (a) Until January 1, 1998, a tax is imposed on the  
13 adjusted gross receipts received from gambling games  
14 authorized under this Act at the rate of 20%.

15 From January 1, 1998 until July 1, 2002, a privilege tax  
16 is imposed on persons engaged in the business of conducting  
17 riverboat gambling operations, based on the adjusted gross  
18 receipts received by a licensed owner from gambling games  
19 authorized under this Act at the following rates:

20 15% of annual adjusted gross receipts up to and  
21 including \$25,000,000;

22 20% of annual adjusted gross receipts in excess of  
23 \$25,000,000 but not exceeding \$50,000,000;

24 25% of annual adjusted gross receipts in excess of  
25 \$50,000,000 but not exceeding \$75,000,000;

26 30% of annual adjusted gross receipts in excess of  
27 \$75,000,000 but not exceeding \$100,000,000;

28 35% of annual adjusted gross receipts in excess of  
29 \$100,000,000.

1           Beginning July 1, 2002, a privilege tax is imposed on  
2 persons engaged in the business of conducting riverboat  
3 gambling operations, based on the adjusted gross receipts  
4 received by a licensed owner from gambling games authorized  
5 under this Act at the following rates:

6           15% of annual adjusted gross receipts up to and  
7 including \$25,000,000;

8           22.5% of annual adjusted gross receipts in excess of  
9 \$25,000,000 but not exceeding \$50,000,000;

10          27.5% of annual adjusted gross receipts in excess of  
11 \$50,000,000 but not exceeding \$75,000,000;

12          32.5% of annual adjusted gross receipts in excess of  
13 \$75,000,000 but not exceeding \$100,000,000;

14          37.5% of annual adjusted gross receipts in excess of  
15 \$100,000,000 but not exceeding \$150,000,000;

16          45% of annual adjusted gross receipts in excess of  
17 \$150,000,000 but not exceeding \$200,000,000;

18          50% of annual adjusted gross receipts in excess of  
19 \$200,000,000.

20          The taxes imposed by this Section shall be paid by the  
21 licensed owner to the Board not later than 3:00 o'clock p.m.  
22 of the day after the day when the wagers were made.

23          (b) Until January 1, 1998, 25% of the tax revenue  
24 deposited in the State Gaming Fund under this Section shall  
25 be paid, subject to appropriation by the General Assembly, to  
26 the unit of local government which is designated as the home  
27 dock of the riverboat. Beginning January 1, 1998, from the  
28 tax revenue deposited in the State Gaming Fund under this  
29 Section, an amount equal to 5% of adjusted gross receipts  
30 generated by a riverboat shall be paid monthly, subject to  
31 appropriation by the General Assembly, to the unit of local  
32 government that is designated as the home dock of the  
33 riverboat.

34          (c) Appropriations, as approved by the General Assembly,

1 may be made from the State Gaming Fund to the Department of  
2 Revenue and the Department of State Police for the  
3 administration and enforcement of this Act.

4 (c-5) After the payments required under subsections (b)  
5 and (c) have been made, an amount equal to 15% of the  
6 adjusted gross receipts of a riverboat (1) that relocates  
7 pursuant to Section 11.2, or (2) for which an owners license  
8 is initially issued after the effective date of this  
9 amendatory Act of 1999, whichever comes first, shall be paid  
10 from the State Gaming Fund into the Horse Racing Equity Fund.

11 (c-10) Each year the General Assembly shall appropriate  
12 from the General Revenue Fund to the Education Assistance  
13 Fund an amount equal to the amount paid into the Horse Racing  
14 Equity Fund pursuant to subsection (c-5) in the prior  
15 calendar year.

16 (c-15) After the payments required under subsections  
17 (b), (c), and (c-5) have been made, an amount equal to 2% of  
18 the adjusted gross receipts of a riverboat (1) that relocates  
19 pursuant to Section 11.2, or (2) for which an owners license  
20 is initially issued after the effective date of this  
21 amendatory Act of 1999, whichever comes first, shall be paid,  
22 subject to appropriation from the General Assembly, from the  
23 State Gaming Fund to each home rule county with a population  
24 of over 3,000,000 inhabitants for the purpose of enhancing  
25 the county's criminal justice system.

26 (c-20) Each year the General Assembly shall appropriate  
27 from the General Revenue Fund to the Education Assistance  
28 Fund an amount equal to the amount paid to each home rule  
29 county with a population of over 3,000,000 inhabitants  
30 pursuant to subsection (c-15) in the prior calendar year.

31 (c-25) After the payments required under subsections  
32 (b), (c), (c-5) and (c-15) have been made, an amount equal to  
33 2% of the adjusted gross receipts of a riverboat (1) that  
34 relocates pursuant to Section 11.2, or (2) for which an

1 owners license is initially issued after the effective date  
2 of this amendatory Act of 1999, whichever comes first, shall  
3 be paid from the State Gaming Fund into the State  
4 Universities Athletic Capital Improvement Fund.

5 (c-30) After the payments required under subsections  
6 (b), (c), (c-5), (c-15), and (c-25) have been made, an amount  
7 equal to 3% of the adjusted gross receipts deposited into the  
8 State Gaming Fund shall be transferred monthly into the  
9 Special Recreation Services Fund, a special fund in the State  
10 treasury that is hereby created. Moneys in the Special  
11 Recreation Services Fund shall be used for grants to special  
12 recreation associations. As used in this Section, "special  
13 recreation association" means an association formed to  
14 provide recreational programs for the handicapped as a result  
15 of a joint agreement entered into under Section 8-10b of the  
16 Park District Code or Section 11-95-14 of the Illinois  
17 Municipal Code.

18 On or before February 1, 2004 and on or before each  
19 February 1 thereafter, to be eligible to receive a grant from  
20 the Special Recreation Services Fund in the following fiscal  
21 year, a special recreation association must certify the  
22 following to the Department of Revenue:

23 (1) A copy of the joint agreement entered into to  
24 create the special recreation association.

25 (2) The population of the geographical area that  
26 comprises the area represented by the special recreation  
27 association.

28 On or before April 1, 2004 and on or before each April 1  
29 thereafter, the Department of Revenue shall certify to the  
30 Governor and to the Speaker of the House of Representatives  
31 and the President of the Senate the unencumbered amount in  
32 the Special Recreation Services Fund. Each year the General  
33 Assembly shall appropriate from the Special Recreation  
34 Services Fund to the Department of Revenue for grants to

1 special recreation associations the unencumbered amount in  
2 the Special Recreation Services Fund as certified by the  
3 Department of Revenue.

4 On or before August 1, 2004, and on or before each August  
5 1 thereafter, the Department of Revenue shall make grants to  
6 special recreation associations that certified eligibility  
7 for that fiscal year. The grants shall be made in rounds.

8 In the first round, each special recreation association  
9 that certified eligibility for that fiscal year shall receive  
10 a grant in the same proportion of the entire grant moneys  
11 available as the population of the geographic area that  
12 comprises the area represented by the special recreation  
13 association is to the population of the geographic area that  
14 comprises the areas represented by all of the special  
15 recreation associations that certified their eligibility for  
16 the grants for that fiscal year. In the first round, a  
17 special recreation association whose grant amount would  
18 exceed 10% of the grant moneys available for that fiscal year  
19 (the 10% cap) shall receive only the amount that represents  
20 the 10% cap for that fiscal year.

21 In the second round, any moneys remaining available after  
22 the first round shall be distributed to the remaining special  
23 recreation associations that certified eligibility for that  
24 fiscal year and have not reached their 10% cap. The amount of  
25 the grant paid to a special recreation association in the  
26 second round shall be in the same proportion of the remaining  
27 grant moneys available after the first round as the  
28 population of the geographic area that comprises the area  
29 represented by the special recreation association that has  
30 not reached its 10% cap is to the population of the  
31 geographic area that comprises the areas represented by all  
32 of the special recreation associations that have not reached  
33 their 10% cap and that have certified their eligibility for  
34 the grants for that fiscal year. A special recreation

1 association whose grant amount would exceed the 10% cap for  
2 that fiscal year shall receive only the amount that  
3 represents the 10% cap.

4 Any moneys remaining undistributed after the second round  
5 shall be transferred to the General Revenue Fund.

6 (d) From time to time, the Board shall transfer the  
7 remainder of the funds generated by this Act into the  
8 Education Assistance Fund, created by Public Act 86-0018, of  
9 the State of Illinois.

10 (e) Nothing in this Act shall prohibit the unit of local  
11 government designated as the home dock of the riverboat from  
12 entering into agreements with other units of local government  
13 in this State or in other states to share its portion of the  
14 tax revenue.

15 (f) To the extent practicable, the Board shall  
16 administer and collect the wagering taxes imposed by this  
17 Section in a manner consistent with the provisions of  
18 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b,  
19 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and  
20 Section 3-7 of the Uniform Penalty and Interest Act.

21 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.